



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

ARNOLD SCHWARZENEGGER, GOVERNOR

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## **AGENDA WITH ANALYSIS**

**NOTICE OF MEETING  
STATE PUBLIC WORKS BOARD  
Tuesday, January 13, 2009**

The **STATE PUBLIC WORKS BOARD** will meet on **Tuesday, January 13, 2009, at 11:00 a.m.** in **Room 2040, State Capitol, Sacramento, California.** In accordance with provisions of Section 11125 of the Government Code, a copy of the Agenda is attached.

Greg Rogers  
Administrative Secretary

Attachment

**STATE PUBLIC WORKS BOARD**

**Tuesday, January 13, 2009**

**11:00 a.m.**

**Room 2040**

State Capitol

Sacramento, California

**I. Roll Call**

Michael C. Genest, Director, Department of Finance  
Will Bush, Director, Department of General Services  
Will Kempton, Director, Department of Transportation  
John Chiang, State Controller  
Bill Lockyer, State Treasurer

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Patrick W. Henning, Director, Employment Development Department  
(Advisory Member)

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Assembly Member, Legislative Advisor  
Assembly Member, Legislative Advisor  
Assembly Member, Legislative Advisor  
Senator, Darrell Steinberg, Legislative Advisor  
Senator, Denise Ducheny, Legislative Advisor  
Senator, Legislative Advisor

**II. Approval of minutes from the December 12, 2008 meeting**

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<b>BOND ITEM</b>
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**NONE**

## CONSENT ITEM

### CONSENT ITEM—1

DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)  
INTERMOUNTAIN CONSERVATION CAMP—REPLACE FACILITY  
LASSEN COUNTY

*Authority: Chapters 47 and 48, Statutes of 2006, Item 3540-301-0660 (2)  
Chapters 268 and 269, Statutes of 2008, Item 3540-301-0660 (4.5)*

**Consider approval of preliminary plans**

## CONSENT ITEM

### STAFF ANALYSIS ITEM—1

Department of Forestry and Fire Protection  
Intermountain Conservation Camp—Replace Facility  
Lassen County

Action requested

**If approved, the requested action would approve preliminary plans.**

Scope Description

**This project is within scope.** This project constructs a new standard 5,000 square foot (sf) kitchen mess hall, a standard 10,938 sf barracks, a 3,960 sf CCV garage, a 4,250 sf dayroom, and a standard 4,240 sf vehicle maintenance building. An 880 sf addition will be made to the CDF office and a 750 sf addition will be made to the CDC office. Site work includes utilities, landscaping, asbestos and lead removal, and all other appurtenances as required.

#### Funding and Cost Verification

**This project is within cost.** A total \$21,182,000 (lease revenue bonds) has been appropriated for preliminary plans, working drawings, and construction to replace the Intermountain Conservation Camp in Lassen County.

\$ 21,182,000	total estimated project costs
\$ 21,182,000	total authorized project costs
\$ 1,008,000	project costs previously allocated: preliminary plans
\$ 20,174,000	project costs to be allocated: preliminary plans \$182,000, working drawings \$1,045,000, and \$18,947,000 construction (\$15,718,000 contract, \$786,000 contingency, \$2,298,000 project administration, \$38,000 for agency retained items, and \$107,000 other)

#### CEQA

A Notice of Determination was filed on December 2, 2008, and the 30-day public comment period expired on October 30, 2008.

#### Real Estate Due Diligence

A Summary of Conditions Memo was prepared October 2008, with no adverse findings.

#### Project Schedule:

Approve preliminary plans	August 2008
Complete working drawings	August 2009
Complete construction	May 2011

**Staff Recommendation:**     **Approve preliminary plans.**

## CONSENT ITEM

### CONSENT ITEM—2

DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)  
NORTH REGION FOREST FIRE STATION FACILITIES—REPLACE VARIOUS BUILDINGS  
VARIOUS COUNTIES

*Authority: Chapters 47 and 48, Statutes of 2006, Item 3540-301-0660 (1)  
Chapters 268 and 269, Statutes of 2008, Item 3540-301-0660 (2.5)*

**Consider approval of preliminary plans for various sites**

## CONSENT ITEM

### STAFF ANALYSIS ITEM—2

Department of Forestry and Fire Protection  
North Region Fire Station Facilities  
Various Counties

Action requested

**If approved, the requested action would approve preliminary plans for various sites.**

Scope Description

**This project is within scope.** The scope for the facilities included in this project, are outlined in Appendix A.

#### Funding and Cost Verification

**This project is within cost.** A total of \$25,045,000 (lease revenue bonds) has been appropriated for preliminary plans, working drawings, and construction to replace the facilities detailed in Appendix A.

\$25,045,000	total estimated project costs
\$25,045,000	total authorized project costs
\$ 1,592,000	project costs previously allocated: preliminary plans
\$23,453,000	project costs to be allocated: working drawings \$767,000 and construction \$22,686,000 (\$19,464,000 contracts, \$2,248,000 project administration, and \$974,000 contingencies)

#### CEQA

For both of the following projects, a Notice of Determination was filed with the State Clearing House and the 30-day litigation period has expired with no adverse comments:

- Forest Ranch FS on November 21, 2007
- Saratoga Summit FS on November 28, 2007

A Notice of Exemption was filed with the State Clearing House and the 35-day litigation period has expired with no adverse comments:

- Susanville FS on July 10, 2006

#### Real Estate Due Diligence

For each of the following projects, a Summary of Conditions Memo was prepared and each memo contained no adverse findings:

- Forest Ranch FS prepared on October 23, 2007
- Saratoga Summit FS prepared on October 29, 2007
- Susanville FS prepared on November 13, 2007

#### Project Schedule:

Approve preliminary plans	January 2009
Complete working drawings	October 2009
Complete construction	May 2011

**Staff Recommendation:**     **Approve preliminary plans.**

## APPENDIX A

### DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540) NORTH REGION FOREST FIRE STATION FACILITIES—SCOPE DETAIL

#### SCOPE DESCRIPTIONS

***Buckhorn Fire Station*** - This project constructs a 3,134 square feet (sf) 8-bed barracks/mess hall building, a 348 sf generator/pump/storage building, and retrofits the existing apparatus building with fire sprinklers at Cal Fire's (CDF) Buckhorn Fire Station in Whitmore, California. The project also includes a hose wash rack, security fencing, a 5,000 gallon water tank, site work, utilities, paving, curbs, walkways, and all associated appurtenances.

***Burrell Fire Station*** - This project constructs a 3,134 sf 8-bed barracks/mess hall building, a 348 sf generator/pump/storage building, an 800 sf Self-Contained Breathing Apparatus (SCBA) building, and retrofits a 2-bay apparatus building with fire sprinklers at CDF's existing Burrell Fire Station located in Los Gatos, California. The project also includes a 20,000 gallon water tank, site work, utilities, paving, curbs, walkways, fuel vault, landscaping, and all associated appurtenances.

***Point Arena Fire Station*** - This project constructs a 1,664 sf 2-bay apparatus building, a 648 sf generator/pump/storage building, retrofits the existing barracks/mess hall building with fire sprinklers, and remodels the residence at CDF's Point Arena Fire Station in Point Arena, California. The project also includes a hose wash rack, security fencing, site work, utilities, paving, curbs, walkways, and all associated appurtenances.

***Whitmore Fire Station*** - This project constructs a 3,753 sf 12-bed barracks/mess hall building, a 648 sf generator/pump/storage building with emergency generator, and retrofits the existing 3-bay apparatus with fire sprinklers at CDF's existing Whitmore Fire Station in Whitmore, California. The project also includes a 20,000 gallon water tank, hose wash rack, security fencing, site work, utilities, paving, curbs, walkways, landscaping, and all associated appurtenances.

***Del Puerto Fire Station*** - This project constructs a 3,620 sf 10-bed barracks/mess hall building, a 1,982 sf 2-bay dozer shed, a 648 sf generator/pump/storage building, a 512 sf administrative office building, a 1,540 sf covered vehicle wash rack building, and retrofits the existing 2-bay apparatus building and vehicle maintenance shop with fire sprinklers at CDF's existing Del Puerto Fire Station in Patterson, California. The project also includes security fencing, site work, utilities, paving, curbs, a fuel vault, walkways, and all associated appurtenances.



**Elk Creek Fire Station** - This project constructs a 3,753 sf 12-bed barracks and mess hall, retrofits an existing apparatus building with an automatic fire sprinkler system, constructs a 648 sf generator/pump/storage building, installs a new septic system and leach field, and installs a retaining wall with security fencing at CDF's Elk Creek Fire Station in Elk Creek, California. The project also includes a 20,000 gallon water tank, a hose wash rack, site work, upgrade and replacement of utilities, paving, landscaping, and all associated appurtenances.

**Smartville Fire Station** - This project constructs a 1,999 sf 3-bay apparatus building, a 648 sf generator/pump/storage building, a 152 sf administrative office building and retrofits the existing 12-bed barracks with fire sprinklers and alarm systems at CDF's existing Smartville Fire Station in Smartville, California. The project also includes a 20,000 gallon water tank, a hose wash rack, security fencing, site work, utilities, paving, curbs, walkways, landscaping, and all associated appurtenances.

**Thorn Forest Fire Station** - This project constructs a 3,135 sf 8-bed barracks/mess hall, a 395 sf generator/pump house building, and retrofits the existing 2-bay apparatus building with fire sprinklers at CDF's existing Thorn Forest Fire Station in Whitethorn, California. The project also includes security fencing, site work, utilities, paving, curbs, walkways, landscaping, and all associated appurtenances.

**Forest Ranch Fire Station** - This project constructs a 3,753 sf 12-bed barracks/mess hall building, a 156 sf Battalion Chief's office, a 335 sf bay attached at the existing apparatus building, a 648 sf generator/pump/storage building, and retrofits an existing apparatus building with a fire sprinkler system at CDF's Forest Ranch Fire Station located in Forest Ranch, California. The project also includes a 20,000 gallon water tank, a hose wash rack, security fencing, site work, a new water system, utilities, paving, curbs, walkways, landscaping, drainage, and other appurtenances as it relates to the new structures.

**Saratoga Summit Fire Station** - This project constructs a 3,753 sf 12-bed barracks/mess hall building, a 648 generator/pump/storage building, a 156 sf administrative office building, and retrofits the existing apparatus building with a fire sprinkler system at CAL FIRE's existing Saratoga Summit Fire Station in Los Gatos, California. The project also includes a hose wash rack, security fencing, site work, landscaping, utilities, paving, curbs, walkways, and all associated appurtenances.

**Susanville Fire Station** - This project constructs a 3,953 sf 14-bed barracks/mess hall building, a 648 generator/pump/storage building, and a 156 Battalion Chief's (BC) office building at CAL FIRE's Susanville Fire Station in Susanville, California. The project also includes security fencing, site work, utilities, paving, curbs, walkways, and all associated appurtenances.

## CONSENT ITEM

### STAFF ANALYSIS—3

DEPARTMENT OF PARKS AND RECREATION (3790)  
JEDEDIAH SMITH REDWOODS STATE PARK, AUBELL MAINTENANCE FACILITY  
DEL NORTE COUNTY

*Authority: Chapters 47 and 48, Statutes of 2006, Item 3790-301-6029 (3)  
as reappropriated by Item 3790-491, Budget Act of 2007*

#### Consider:

- a. Recognition of a scope change
- b. Approval of preliminary plans

## CONSENT ITEM

### STAFF ANALYSIS ITEM—3

Department of Parks and Recreation  
Jedediah Smith Redwoods State Park, Del Norte County  
Aubell Maintenance Facility

#### Action Requested

**If approved, the requested action would recognize a scope change and approve preliminary plans.**

#### Scope Description

**This project is not within scope.** The California Department of Parks and Recreation (Parks) has requested a scope change for the Jedediah Smith Redwoods State Park, Aubell Maintenance Facility project, to specify that this project now includes the exchange of limited property rights to the National Parks Service (NPS) to facilitate the development of this joint-use facility. This exchange was not contemplated in the original project scope, but was subsequently added to secure federal funding for this project. The new facility replaces a state shop that was destroyed by fire several years ago, and a National Park Service shop that is outdated and plagued with hazardous material issues and no longer functional.

Because of federal requirements, Parks was informed that the NPS would not be able to contribute its share of funding toward the development of this facility without first securing a long-term interest in the property. To satisfy this requirement and for the purpose of providing a site for this project, Parks agreed to transfer the underlying fee title of approximately 17 acres within this park to the NPS for a period of 75 years. This transfer was approved by the Department of General Services pursuant to Government Code section 14665.

A 20-day letter was sent to the Legislature on December 22, 2008, and the 20-day review period has expired with no adverse comments.

#### Funding and Cost Verification

**This project is within cost.** Item 3790-301-6029(6), Budget Act of 2006, as reappropriated, provides \$949,000 for the construction of a new joint-use maintenance facility in the North Coast Redwoods District at Jedediah Smith Redwoods State Park. This appropriation represents the state's share of funding for this project. The NPS is contributing \$10 million dollars and will construct the facility. The project consists of a 23,000 square foot (sf) maintenance facility, a 12,000 sf warehouse building, and associated site work.

\$949,000	total estimated project costs
\$949,000	total authorized project costs
\$949,000	project costs to be allocated: construction \$949,000

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on September 27, 2007 and the waiting period expired on October 29, 2007.

#### Due Diligence Status

The project site is part of a larger parcel acquired by the Department of Parks and Recreation on February 2, 1990. The property has two pole-line easements and one road easement which do not interfere with the project site. The 17.8 acre project site was transferred to the National Park Service to facilitate project implementation on November 13, 2007, for a period of 75 years.

#### Project Schedule:

Approve Preliminary Plans	January 2009
Complete Construction	September 2009

**Staff Recommendation:**      **Recognize a scope change and approve preliminary plans.**

## CONSENT ITEM

### CONSENT ITEM—4

UNIVERSITY OF CALIFORNIA (6440)  
SANTA CRUZ CAMPUS, SANTA CRUZ COUNTY  
Infrastructure Improvements, Phase 2

*Authority: Chapters 46 and 47, Statutes of 2006, Item 6440-301-6048 (18)  
Chapters 171 and 172, Statutes of 2007, Item 6440-301-6048 (18)  
as reappropriated by Item 6440-491, Budget Act of 2008*

**Consider approval of preliminary plans**

## CONSENT ITEM

### STAFF ANALYSIS ITEM—4

University of California, Santa Cruz  
Infrastructure Improvements, Phase 2  
Santa Cruz County

Action requested

**If approved, the requested action would approve preliminary plans.**

Scope Description

**This project is within scope.** The Infrastructure Improvements, Phase 2, will provide improvements to the storm water drainage system, replace portions of the central campus heating water system, replace components of the electrical system, and upgrade selected portions of the natural gas system. This is the second of the three planned infrastructure projects designed to improve the reliability of distribution systems, provide additional capacity and respond to the problems presented by the unique Santa Cruz topography.

#### Funding and Project Cost Verification

**This project is within cost.**

\$ 684,000	total authorized project costs (State funds)
\$7,598,000	total estimated project costs
\$ 367,000	project costs previously allocated: preliminary plans
\$7,231,000	project costs to be allocated: working drawings \$317,000 (State funds), construction \$6,914,000 (State funds).

#### CEQA

The University certifies that the project is in compliance with the requirements of CEQA. On July 8, 2008, the Santa Cruz campus certified an Initial Study/Mitigated Negative Declaration on the storm water portion of the project. On July 14, 2008, a Notice of Determination was filed with the State Clearinghouse. The heating water, electrical and natural gas improvements are categorically exempt.

#### Real Estate Due Diligence

University of California (UC), on behalf of the Regents of the UC, acknowledges they have full responsibility for reviewing and clearing title issues.

#### Project Schedule:

Approve preliminary plans	January 2009
Complete working drawings	July 2009
Complete construction	April 2011

**Staff Recommendation:     Approve preliminary plans.**

## CONSENT ITEM

### CONSENT ITEM—5

CALIFORNIA COMMUNITY COLLEGES (6870)  
GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT  
LRC EXPANSION/ REMODEL PHASE I  
CUYAMACA COLLEGE, SAN DIEGO COUNTY

*Authority: Chapters 171 and 172, Statutes of 2007, Item 6870-303-6049 (3)*

**Consider approval of preliminary plans**

## CONSENT ITEM

### STAFF ANALYSIS ITEM—5

California Community Colleges  
Grossmont-Cuyamaca Community College District, LRC Expansion/Remodel Phase I  
Cuyamaca College, San Diego County

#### Action Requested

**If approved, the requested action would approve preliminary plans.**

#### Scope Description

**This project is within scope.** The authorized scope remodels and constructs an additional 3,648 assignable square feet (asf) to the existing Learning Resource Center. The expansion includes 3,157 asf library, 256 asf office, and 235 asf library support space.

#### Funding and Project Cost Verification

**This project is within cost.**

\$4,167,000 total estimated project costs

\$4,167,000 total authorized project costs

\$ 65,000 state funds previously allocated: preliminary plans

\$2,019,000 state funds to be allocated: working drawings \$79,000 and construction  
\$1,887,000 (\$1,655,000 contracts, \$89,000 contingency, \$143,000  
administration, testing, and inspection), and equipment \$53,000

\$ 65,000 local funds previously allocated: preliminary plans

\$2,018,000 local funds to be allocated: working drawings \$78,000 and construction  
\$1,887,000 (\$1,654,000 contracts, \$89,000 contingency, \$144,000  
administration, testing, and inspection), and equipment \$53,000

#### CEQA

An Environmental Impact Report was filed with the State Clearinghouse on December 24, 2003, and the response period has expired.

#### Real Estate Due Diligence

The District acknowledges they have full responsibility for clearing due diligence issues.

#### Project Schedule:

Approve preliminary plans January 2009

Complete working drawings April 2009

Complete construction January 2010

**Staff Recommendation: Approve preliminary plans.**

## **ACTION ITEMS**

### **ACTION ITEM—1**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (8570)**  
**SAN BERNARDINO VETERINARY LABORATORY**  
**SAN BERNARDINO COUNTY**  
Project Number DFA503, DGS Parcel Number 10532

*Authority: Chapter 268, Budget Act of 2008, Item 8570-301-0601*

**Consider approval of acquisition**

## **ACTION ITEMS**

### **STAFF ANALYSIS ITEM—1**

Department of General Services  
Department of Food and Agriculture  
San Bernardino Veterinary Laboratory  
San Bernardino County

**ITEM PULLED**



## ACTION ITEMS

### ACTION ITEM—2

DEPARTMENT OF GENERAL SERVICES  
DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
SITE CONSIDERATION FOR A POTENTIAL SECURE REENTRY FACILITY  
KERN COUNTY  
CDCR 501; DGS Parcel No. 10544

*Authority: Government Code Section 15853 and Chapter 3.2.1 of Part 10b of Division 3 of Title 2 of the Government Code*

**Consider authorizing site selection, while recognizing the reentry program is not within scope and cost**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—2

California Department of Corrections and Rehabilitation (CDCR)  
Site Consideration for a Potential Secure Reentry Facility  
Kern County

Action requested

**If approved, the requested action would authorize site selection while recognizing the reentry program is not within scope and cost.**

Scope Description

**This program is not within scope; scope and cost has not been established for any project within this program.** The provisions of the Public Safety and Offender Rehabilitation Services Act of 2007 (AB 900) authorize the acquisition, design, and construction of secure reentry facilities. As authorized, the reentry program allows for several secure reentry facilities with a total of 6,000 beds at unspecified locations (each facility may include up to 500 beds) for inmates within one year of being released from custody. The program is presently out of scope as CDCR estimates current available funding would produce significantly fewer reentry beds than was originally intended in AB 900. As a result, legislative amendments are required to bring the entire reentry program within scope and cost. This must occur before the Board can establish the scope and cost for any project within the reentry program.

Notwithstanding that the program is out of scope and cost, CDCR has requested to proceed with site selection at this time because, as part of the jail construction financing program authorized by AB 900, CDCR has entered into a Siting Agreement with Kern County. In this Siting Agreement, Kern County has indicated its willingness to offer the subject site as well as two alternative sites for potential sale to the state in exchange for obtaining eligibility to participate in the AB 900 jail construction financing program. The real estate due diligence investigation and negotiation that CDCR would engage in would provide information which would determine if, in fact, the subject site would qualify as a “buildable site” for a secure reentry facility.

If approved, this request would authorize site selection, which would allow CDCR to conduct site investigation and begin negotiations of an approximate 17-acre site. The parcel is situated adjacent to the existing Kern County jail complex, to the north of the City of Bakersfield and east of the City of Shafter and within Kern County’s jurisdiction. The site can be accessed by Quality Road. There is no city water or sewer service available to the property. The proposed site would require new water well as its sole supply of water. The closest wastewater treatment system is the county-owned facility adjacent to the Kern County Sheriff’s Lerdo facility. A sewer system study would need to be completed to identify the full extent of sewage improvements that would be needed should a reentry project go forward. Nonetheless, CDCR believes this site has the best potential among the sites made available to be a preferred location for a secure reentry facility and related parking, and warrants further evaluation.

Prior to entering the Siting Agreement with Kern County for the subject site and the two alternative sites, CDCR considered other potential reentry facility sites proposed by Kern County. CDCR determined to only proceed with site selection for the subject site at this time because the other sites are less than ideal for various reasons including poor site configuration and location, presence of easements for high-voltage transmission lines, and soil liquefaction issues.

If the Board approves this request and CDCR’s investigation and negotiations conclude the preferred site qualifies as a potential “buildable site” for a reentry facility, acquisition could not possibly occur until legislative amendments are enacted that bring the reentry program into scope and cost. Also, the Board would still need to establish scope and cost for this specific reentry project in Kern County. If it is determined this is a “buildable site” for a secure reentry facility, CDCR would likely enter into an option agreement, with Board approval, to acquire the proposed site as there are other timing considerations that would negate the state’s ability to acquire any property on which to build a reentry facility until the construction of that facility is ready to commence.

#### Funding and Cost Verification

**This program is not within cost.** Funding authorized by AB 900 is not available for the site selection activities in which CDCR would engage. Because of the critical importance of the reentry program to enhance CDCR’s rehabilitation mission, CDCR would redirect support funding to conduct site investigations and negotiations. Engaging in these activities now would ensure reentry facilities are completed as expeditiously as possible. No capital outlay appropriations would be used for this project or this program until legislative amendments to AB 900 are enacted or a capital outlay appropriation is made to fund these activities.

### CEQA

CDCR, acting as lead agency for the purposes of the California Environmental Quality Act (CEQA), would prepare and approve the appropriate environmental document at the appropriate time. The CEQA document for a reentry project in Kern County would not begin until after legislative amendments to AB 900 are enacted, establishment by the Board of the scope and cost for the project, and CDCR and the County enter into an option agreement for the state to acquire the proposed site.

### Project Schedule

The schedule is dependent upon the enactment of legislative amendments for the reentry program and the establishment of scope and cost by the Board.

### Condition of Property

In September 2008 the Department of General Services (DGS), Environmental Services Section staff conducted a review of the subject site located in Kern County. The parcel is zoned Agriculture. No surface improvements were observed, but signs for an underground gas line were noted on the property along Quality Road. A Kern county youth rehabilitation facility is located to the north of the site, a vineyard operation is located to the east, ground farming is to the west, and a dairy operation is located across Lerdo Highway to the south. No recognized environmental conditions associated with hazardous materials were observed on the subject property. Concerns regarding wet soil observed in a sump on the property will be resolved during CEQA review.

### Other:

- The proposed sites meet the size, location, and compatibility requirements of CDCR.
- There is no relocation assistance involved with this project.
- The purchase price would not exceed the estimated fair market value as determined by a DGS-approved appraisal.
- There is no implied dedication involved with this project.

**Staff Recommendation:**      **Authorize site selection while recognizing the reentry program is not within scope and cost.**

## ACTION ITEM

### ACTION ITEM—3

DEPARTMENT OF GENERAL SERVICES  
DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
SITE CONSIDERATION FOR A POTENTIAL SECURE REENTRY FACILITY  
MADERA COUNTY  
CDCR 500; DGS Parcel No. 10543

*Authority: Government Code Section 15853 and Chapter 3.2.1 of Part 10b of Division 3 of Title 2 of the Government Code*

**Consider authorizing site selection, while recognizing the reentry program is not within scope and cost**

## ACTION ITEM

### STAFF ANALYSIS ITEM—3

California Department of Corrections and Rehabilitation (CDCR)  
Site Consideration for a Potential Secure Reentry Facility  
Madera County

Action requested

**If approved, the requested action would authorize site selection while recognizing the reentry program is not within scope and cost.**

Scope Description

**This program is not within scope; scope and cost has not been established for any project within this program.** The provisions of the Public Safety and Offender Rehabilitation Services Act of 2007 (AB 900) authorize the acquisition, design, and construction of secure reentry facilities. As authorized, the reentry program allows for several secure reentry facilities with a total of 6,000 beds at unspecified locations (each facility may include up to 500 beds) for inmates within one year of being released from custody. The program is presently out of scope as CDCR estimates current available funding will produce significantly fewer reentry beds than was originally intended in AB 900. As a result, legislative amendments are required to bring the entire reentry program within scope and cost. This must occur before the Board can establish the scope and cost for any project within the reentry program.

Notwithstanding that the program is out of scope and cost, CDCR has requested to proceed with site selection at this time because, as part of the jail construction financing program authorized by AB 900, CDCR has entered into a Siting Agreement with Madera County. In this Siting Agreement, Madera County has indicated its willingness to offer the subject site for potential sale to the state in exchange for obtaining eligibility to participate in the AB 900 jail construction financing program. The real estate due diligence investigation and negotiation that CDCR will engage in will provide information which will determine if, in fact, the subject site would qualify as a “buildable site” for a secure reentry facility.

If approved, this request will authorize site selection, which would allow CDCR to conduct site investigation and begin negotiations of an approximate 15-acre site that is situated adjacent to the existing Madera County jail complex, within the county’s jurisdiction and just east of Madera city limits. The site will have street accessibility via the extension of “A” street, and may include an easement access from Avenue 14-½. The City of Madera has indicated it will extend public services, including water and sewer, to the site, although a tri-party agreement between the state, county, and city will need to be negotiated to provide details regarding the specific infrastructure requirements. CDCR believes this site is considered to have the potential to be a preferred location for a secure reentry facility and related parking, and warrants further evaluation.

Prior to entering into the Siting Agreement with Madera County for the subject site, CDCR considered two other sites. These other sites were considered less than ideal for various reasons, including poor location and the potential historical building preservation issues.

If the Board approves this request and CDCR’s investigation and negotiations conclude the site qualifies as a potential “buildable site” for a reentry facility, acquisition could not possibly occur until legislative amendments are enacted that bring the reentry program into scope and cost. Also, the Board will still need to establish scope and cost for this specific reentry project in Madera County. If it is determined this is a “buildable site” for a secure reentry facility, CDCR will likely enter into an option agreement with Board approval to acquire the proposed site as there are other timing considerations that would negate the state’s ability to acquire any property on which to build a reentry facility until the construction of that facility is ready to commence.

#### Funding and Cost Verification

**This program is not within cost.** Funding authorized by AB 900 is not available for the site selection activities in which CDCR will engage. Because of the critical importance of the reentry program to enhance CDCR’s rehabilitation mission, CDCR will redirect support funding to conduct site investigations and negotiations. Engaging in these activities now will ensure reentry facilities are completed as expeditiously as possible. No capital outlay appropriations will be used for this project or this program until legislative amendments to AB 900 are enacted or a capital outlay appropriation is made to fund these activities.

#### CEQA

CDCR, acting as lead agency for the purposes of the California Environmental Quality Act (CEQA), will prepare and approve the appropriate environmental document at the appropriate time. The CEQA document for a reentry project in Madera County would not begin until after the Legislative amendments to AB 900 are enacted, establishment by the Board of the scope and cost for the project, and CDCR and the County enter into an option agreement for the state to acquire the proposed site.

### Project Schedule

The schedule is dependent upon the enactment of Legislative amendments for the reentry program and the establishment of scope and cost by the Board.

### Condition of Property

In September 2008, the Department of General Services (DGS), Environmental Services Section staff conducted a review of the subject site located in Madera County. The property is vacant, unimproved, owned by Madera County and is zoned as Public Institutional. The subject property is surrounded by vacant agricultural land, vineyards, a cemetery and a residential single family home and for at least 30 years has been devoted to agricultural uses.

### Other:

- The proposed sites meet the size, location, and compatibility requirements of CDCR.
- There is no relocation assistance involved with this project.
- The purchase price would not exceed the estimated fair market value as determined by a DGS-approved appraisal.
- There is no implied dedication involved with this project.

**Staff Recommendation:**      **Authorize site selection while recognizing the reentry program is not within scope and cost.**

## ACTION ITEM

### ACTION ITEM—4

DEPARTMENT OF GENERAL SERVICES  
DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
SITE CONSIDERATION FOR A POTENTIAL SECURE REENTRY FACILITY  
SAN BERNARDINO COUNTY  
CDCR 502; DGS Parcel No. 10545

*Authority: Government Code Section 15853 and Chapter 3.2.1 of Part 10b of Division 3 of Title 2 of the Government Code*

**Consider authorizing site selection, while recognizing the reentry program is not within scope and cost**

## ACTION ITEM

### STAFF ANALYSIS ITEM—4

California Department of Corrections and Rehabilitation (CDCR)  
Site Consideration for a Potential Secure Reentry Facility  
San Bernardino County

Action requested

**If approved, the requested action would authorize site selection while recognizing the reentry program is not within scope and cost.**

Scope Description

**This program is not within scope; scope and cost has not been established for any project within this program.** The provisions of the Public Safety and Offender Rehabilitation Services Act of 2007 (AB 900) authorize the acquisition, design, and construction of secure reentry facilities. As authorized, the reentry program allows for several secure reentry facilities with a total of 6,000 beds at unspecified locations (each facility may include up to 500 beds) for inmates within one year of being released from custody. The program is presently out of scope as CDCR estimates current available funding will produce significantly fewer reentry beds than was originally intended in AB 900. As a result, legislative amendments are required to bring the entire reentry program within scope and cost. This must occur before the Board can establish the scope and cost for any project within the reentry program.

Notwithstanding that the program is out of scope and cost, CDCR has requested to proceed with site selection at this time because, as part of the jail construction financing program authorized by AB 900, CDCR has entered into a Siting Agreement with San Bernardino County. In this Siting Agreement, San Bernardino County has indicated its willingness to offer the subject site as well one alternative site for potential sale to the state in exchange for obtaining eligibility to participate in the AB 900 jail construction financing program. The real estate due diligence investigation and negotiation that CDCR will engage in will provide information which will determine if, in fact, the subject site would qualify as a “buildable site” for a secure reentry facility.

If approved, this request will authorize site selection which would allow CDCR to conduct site investigations and begin negotiations of an approximate 15-acre site that is situated along Morro Road and Dale Evans Parkway in the town of Apple Valley, within the jurisdiction of San Bernardino County. The proposed site has street accessibility via Dale Evans Parkway and requires street improvements on Morrow Road and Dachsund Avenue. The site has access to utilities and public services, including water and sewer to the site via Dale Evans Parkway. Neighboring uses include the High Desert Juvenile Detention Facility and limited residential use. CDCR believes this site has the potential to be a preferred location for a secure reentry facility and related parking, and warrants further evaluation.

Before entering into the Siting Agreement with San Bernardino County for the subject site and the alternative sites, CDCR considered multiple other sites located in San Bernardino County. CDCR determined to only proceed with site selection for the subject site at this time because the alternative sites and the other sites were considered less than ideal for various reasons, including the potential for flooding and the presence of hazardous materials.

If the Board approves this request and CDCR’s investigation and negotiations conclude the site qualifies as a potential “buildable site” for a reentry facility, acquisition could not possibly occur until legislative amendments are enacted that bring the reentry program into scope and cost. Also, the Board will still need to establish scope and cost for this specific reentry project in San Bernardino County. If it is determined this is a “buildable site” for a secure reentry facility, CDCR will likely enter into an option agreement with Board approval to acquire the proposed site as there are other timing considerations that would negate the state’s ability to acquire any property on which to build a reentry facility until the construction of that facility is ready to commence.

#### Funding and Cost Verification

**This program is not within cost.** Funding authorized by AB 900 is not available for the site selection activities in which CDCR will engage. Because of the critical importance of the reentry program to enhance CDCR’s rehabilitation mission, CDCR will redirect support funding to conduct site investigations and negotiations using department support funds. Engaging in these activities now will ensure reentry facilities are completed as expeditiously as possible. No capital outlay appropriations will be used for this project or this program until legislative amendments to AB 900 are enacted or a capital outlay appropriation is made to fund these activities.

#### CEQA

CDCR, acting as lead agency for the purposes of the California Environmental Quality Act (CEQA), will prepare and approve the appropriate environmental document at the appropriate time. The CEQA document for a reentry project in San Bernardino County would not begin until after Legislative amendments to AB 900 are enacted, establishment by the Board of the scope and cost for the project, and CDCR and the County enter into an option agreement for the state



to acquire the proposed site.

Project Schedule

The schedule is dependent upon the enactment of Legislative amendments for the reentry program and the establishment of scope and cost by the Board.

Condition of Property

In September 2008 the Department of General Services (DGS), Environmental Services Section staff conducted a site visit of the San Bernardino property. The property is zoned Residential, Low Density and there were no noted improvements. The subject property is surrounded by the County of San Bernardino High Desert Juvenile Detention and Assessment Center to the north, vacant land to the south and west, and one house 1000 feet to the east. No recognized environmental conditions associated with hazardous materials were observed.

Other:

- The proposed site meets the size, location, and compatibility requirements of CDCR.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- The purchase price would not exceed the estimated fair market value as determined by a DGS approved appraisal.
- There is no implied dedication involved with this project.

**Staff Recommendation:**      **Authorize site selection while recognizing the reentry program is not within scope and cost.**

**OTHER BUSINESS**

**NONE**

**REPORTABLES**

To be presented at the meeting.